IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5758 of 1996

For Approval and Signature:

HON'BLE MR JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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ARVINDKUMAR R VERMA - Petitioner(s)

Versus

VADILAL DAIRY FROZEN FOOD INDUSTIRES - Respondent(s)

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Appearance :

MR KR KOSHTI for Petitioner No(s).: 1.

MR BA VAISHNAV for Respondent No(s).: 1.

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CORAM : HON'BLE MR JUSTICE KS JHAVERI

Date : 27/07/2005

ORAL JUDGMENT

1. This petition is directed against the judgment and award dated 20th October, 1995, passed by the Labour Court in Reference [L.C.R.] No. 2037/83, whereby the said Reference was rejected.

2. The short facts of the case are that the petitioner was working as a Driver cum Salesman with the

respondent. The services of the petitioner were terminated w.e.f. 21st June, 1983 on the ground of unauthorized absenteeism. Being aggrieved by the said order, the petitioner raised an industrial dispute which was ultimately referred to the Labour Court for adjudication. The Labour Court after appreciating the materials produced before it, passed the impugned award. Hence, this petition.

3. I have heard the learned counsel for the parties. Having perused the materials produced on record, it transpires that the Labour Court while rejecting the Reference has concluded that the petitioner was gainfully employed elsewhere and even other wise, the allegations levelled against the petitioner were proved in the inquiry. Thus, I am in complete agreement with the reasonings adopted and findings arrived at by the Labour Court, and find no reason to interfere.

4. In above view of the matter, the petition is dismissed. Rule is discharged with no order as to costs.

[K.S. JHAVERI, J.]

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